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# AMENDMENT TRANSMITTAL LETTER

Docket No.  
SPINE 3.0-437 CPCPCPCPCPCPCP I CON

Application No.  
10/663,492-Conf. #2441

Filing Date  
September 16, 2003

Examiner  
B. E. Pellegrino

Art Unit  
3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention: INTERVERTEBRAL SPACER DEVICE HAVING ENGAGEMENT HOLE PAIRS FOR MANIPULATION USING A SURGICAL TOOL

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	21	- 20 =	1	x 50.00	50.00
Independent Claims	1	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					50.00

☒ Large Entity

☐ Small Entity

☐ No additional fee is required for this amendment.

☒ Please charge Deposit Account No. 12-1095 in the amount of \$ 50.00.  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

  
Raymond Garguilo, Jr.  
Attorney/Agent Reg. No.: 50,930

Dated: May 16, 2006

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 16, 2006

Signature:  (Raymond Garguilo, Jr.)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 16, 2006

Signature:

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCP I CON IV  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Errico et al.

Application No.: 10/663,492

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE  
HAVING ENGAGEMENT HOLE PAIRS FOR  
MANIPULATION USING A SURGICAL  
TOOL

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: Group Art Unit: 3738  
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: Examiner: B. E.  
Pellegrino  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Dear Sir:

In response to the Official Action mailed February 16, 2006, Applicants submit the following amendments and remarks.

05/22/2006 CNEGA1 00000020 121035 10663452

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